

BEFORE THE  
ADMINISTRATIVE HEARING COMMISSION  
STATE OF MISSOURI

**FILED**

SEP 14 2004

ADMINISTRATIVE HEARING  
COMMISSION

STATE COMMITTEE FOR SOCIAL WORKERS, )

)

Petitioner, )

)

v. )

No. 04-0350 SW

)

SUSAN LANGSTRAAT, )

)

Respondent. )

JOINT MOTION FOR CONSENT ORDER, JOINT STIPULATION OF  
FACTS, WAIVER OF HEARINGS BEFORE THE ADMINISTRATIVE  
HEARING COMMISSION AND STATE COMMITTEE FOR  
SOCIAL WORKERS AND DISCIPLINARY ORDER WITH  
JOINT PROPOSED FINDINGS OF FACT AND  
CONCLUSIONS OF LAW

Pursuant to the rules governing practice and procedure before the Administrative Hearing Commission (1 CSR 15-3.440(3)) and pursuant to the terms of § 536.060, RSMo 2000, as it is made applicable to the Administrative Hearing Commission by § 621.135, RSMo 2000, Susan Langstraat ("Respondent") and the State Committee for Social Workers ("Committee") hereby waive the right to a hearing of the above-styled case before the Administrative Hearing Commission and, additionally, the right to a disciplinary hearing before the Committee pursuant to § 621.110, RSMo, and jointly stipulate to the facts and consent to the imposition of disciplinary action against the clinical social work license of Respondent for violations of statutes and lawful rules and regulations set forth below.

Respondent acknowledges that she has received and reviewed a copy of the Complaint filed by the Committee in this case, and the parties submit to the jurisdiction of the Administrative Hearing Commission.

Respondent acknowledges that she is aware of the various rights and privileges afforded her by law, including the right to appear and be represented by counsel; the right to have a copy of the Complaint served upon her by the Administrative Hearing Commission prior to the entering of its order; the right to have all charges against Respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against Respondent; the right to present evidence on Respondent's own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the complaint pending against Respondent; and the right to a ruling on questions of law by an administrative hearing commissioner. Being aware of these rights provided the Respondent by operation of law, Respondent knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Motion for Consent Order, Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Committee for Social Workers, and Disciplinary Order with Joint Proposed Findings of Fact and Conclusions of Law ("Joint Stipulation") and agrees to abide by the terms of this document as they pertain to Respondent.

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Based upon the foregoing, the Committee and Respondent jointly stipulate to the following and request that the Administrative Hearing Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law as the Administrative Hearing Commission's Findings of Fact and Conclusions of Law.

JOINT PROPOSED FINDINGS OF FACT

1. Petitioner, the State Committee for Social Workers ("Committee"), is an agency of the state of Missouri created and established by § 337.622, RSMo Supp. 2001, for the purpose of administering and enforcing the provisions of Chapter 337, RSMo, relating to social workers.

2. Respondent, Susan Langstraat, is licensed by the Committee as a clinical social worker, license No. SW002649. Respondent's license is, and was at all times relevant herein, current and active.

3. Respondent does child and family therapy for University Behavioral Health Services at 3211 Providence, Building C, Columbia, Missouri.

4. At the time of the events alleged herein, Respondent maintained a private practice at other location(s), including 2100 East Broadway, Suite 312, Columbia, Missouri.

Count I

5. On or about September 5, 2000, Respondent entered into a patient/therapist relationship with K.J.

6. K.J.'s psychiatrist referred K.J. to Respondent because K.J. was not satisfied with her therapist.

7. Respondent determined that K.J. had correctly been diagnosed by another practitioner as having dissociative identity disorder.

8. On or about October 3, 2000, Respondent determined that she needed consultation regarding the treatment of K.J.

9. Respondent arranged to consult with Lin Ann Townsend ("Townsend") regarding the treatment of K.J. and, in fact, received consultation from Townsend regarding the treatment of K.J.

10. At the time the consultation was arranged, Respondent was not aware that Townsend was not licensed as a mental health professional. Respondent eventually became aware that Townsend was not licensed, but had practiced for 23 years under the supervision of John Small, Ph.D., a licensed psychologist, and that Townsend maintained an office in the same office complex as Small.

11. Respondent arranged for K.J. to receive treatment from Townsend while Respondent was out of town on a vacation scheduled prior to Respondent initiating treatment with K.J. The arrangement was made with K.J.'s consent, after K.J. discussed with Respondent K.J.'s anxiety about the break in treatment with Respondent. Respondent arranged for K.J. and Townsend to meet before Respondent left on vacation.

12. Townsend did, in fact, provide backup therapeutic care while Respondent was on vacation.

13. At no time relevant herein did Townsend hold any license to practice a mental health profession in Missouri or any other state. At the time Respondent referred K.J. to Townsend, Respondent was not aware that Townsend was not licensed.

14. The day after Respondent returned from her vacation, K.J. asked Respondent if Townsend could be allowed to provide co-therapy with Respondent. Respondent agreed and arranged for Townsend to join one-third of the therapy sessions and to receive telephone calls from K.J. as needed.

15. At no time during the co-therapy did Respondent know that Townsend was not licensed as a mental health professional.

16. In October 2001, a new physician became K.J.'s psychiatrist. Since the new psychiatrist practiced out of a different CPRC service, K.J. was transferred to his CPRC service. A new case manager was assigned to K.J. by the new CPRC service.

17. Respondent did not learn that Townsend was not licensed until after December 17, 2001. At that point in time, Respondent had ceased providing therapy to K.J.

18. K.J. had a relationship of professional trust and confidence with Respondent in that K.J. relied on Respondent as a licensed professional social worker to obtain appropriate professional consultation, engage in appropriate co-therapy, and provide appropriate professional referrals to K.J.

Count II

19. On or about November 27, 2001, K.J. presented for a session with Respondent and reported she had self-mutilated prior to the session. This report was made late in the afternoon toward the end of her session with Respondent. Respondent encouraged her to seek medical help, but K.J. refused. K.J. reported to Respondent that she was not bleeding and claimed that she was not in pain. Respondent had Townsend continue to check on K.J. through the evening hours and to calm K.J. and to continue to encourage her to seek medical help.

20. On November 28, 2001, Respondent went to Jefferson City, Missouri, early in the morning to determine where K.J. could get medical help. K.J. reported to Respondent that she was not bleeding, but Respondent continued to encourage K.J. to be medically assessed. K.J. did not want to go to the emergency room or call 911. K.J. finally agreed that Respondent could locate a physician who could assess K.J. in the physician's office. K.J. refused to go to the hospital because she was concerned about the way she had been previously treated and because she expressed shame and was scared of retribution for her self-injury.

21. Respondent returned to her office in Columbia, Missouri, to cancel all eight of her appointments for November 28, 2001. Respondent then called various physicians in Jefferson City, Missouri, until she finally found a physician who had staff privileges at both Capital Region Medical Center and St. Mary's Hospital who would be willing to see K.J.

Respondent then returned to Jefferson City, Missouri, and met Townsend and K.J. at the physician's office. Respondent and Townsend then agreed that Respondent would contact the CPRC program.

22. On November 29, 2001, K.J. was released from her medical treatment at Capital Region Medical Center after the physician had surgically repaired cuts made by K.J.'s self-mutilation. Before Respondent could report the matter to the CPRC a friend of K.J. did so.

23. Respondent failed to immediately refer K.J. for a medical assessment. Respondent referred K.J. for medical treatment after obtaining K.J.'s permission to do so.

24. Respondent failed to refer K.J. for a psychiatric assessment in a timely manner.

25. K.J. had a relationship of professional trust and confidence with Respondent in that K.J. relied on Respondent as a licensed professional social worker to provide appropriate and necessary services, including obtaining timely medical and psychiatric assessments for K.J.

#### JOINT PROPOSED CONCLUSIONS OF LAW

##### Count I

26. In obtaining consultation regarding K.J.'s treatment from an unlicensed practitioner, by conducting co-therapy with an unlicensed co-therapist, and by referring K.J.

to an unlicensed practitioner for treatment, Respondent violated the professional trust and confidence of K.J.

27. Cause exists to discipline Respondent pursuant to § 337.630.2, RSMo 2000, which states in relevant parts:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by sections 337.600 to 337.639 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

....

(13) Violation of any professional trust or confidence;

....

#### Count II

28. In failing to obtain an immediate medical assessment for K.J. and failing to refer K.J. for a psychiatric assessment in a timely manner, Respondent violated the professional trust and confidence of K.J.

29. Cause exists to discipline Respondent pursuant to § 337.630.2, RSMo 2000, which states in relevant parts:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by sections 337.600 to 337.639 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:



....  
(13) Violation of any professional trust or confidence;  
....

JOINT AGREED DISCIPLINARY ORDER

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the State Committee for Social Workers in this matter under the authority of § 621.110, RSMo 2000. This disciplinary order will be effective immediately upon the issuance of the Consent Order of the Administrative Hearing Commission without further action by either party:

1. The clinical social work license, No. SW002649, issued to Respondent is hereby immediately placed on PROBATION for a period of one year ("disciplinary period").

The terms of the probation shall be:

I. REQUIREMENTS REGARDING EDUCATION

A. During the period of discipline, Respondent, at her own expense, shall complete three clock hours of continuing education in professional ethics in the practice of social work. The continuing education program(s) shall be approved by the Committee prior to Respondent beginning the program(s). Prior to beginning any program, Respondent shall submit documentation to the Committee regarding the institution through which the program is offered, content of the program, number of clock hours awarded for satisfactory

completion of the program and other such documentation as may be requested by the Committee. Failure to complete the required continuing education prior to the end of the period of probation shall be deemed a violation of this Joint Stipulation.

- B. During the period of discipline, Respondent, at her own expense, shall complete four clock hours of continuing education in the laws, rules and regulations governing the practice of social work. The continuing education program(s) shall be approved by the Committee prior to Respondent beginning the program(s). Prior to beginning any program, Respondent shall submit documentation to the Committee regarding the institution through which the program is offered, content of the program, number of clock hours awarded for satisfactory completion of the program and other such documentation as may be requested by the Committee. Failure to complete the required continuing education prior to the end of the period of probation shall be deemed a violation of this Joint Stipulation.

## II. REQUIREMENTS REGARDING SUPERVISED PRACTICE

- A. Respondent's practice as a clinical social worker during the period of probation shall be supervised by a clinical social worker approved by the State Committee for Social Workers. If Respondent fails to secure a supervisor within 20 business days from the start of probation, the Respondent shall cease

practicing clinical social work until a supervisor is secured. Respondent shall be responsible for any payment associated with the supervision.

B. In the event the approved supervisor becomes unable or decides not to continue serving in his/her capacity as a supervisor or otherwise ceases to serve as a supervisor during the period of probation, then the Respondent shall:

- (1) within three business days of being notified of the supervisor's inability or decision not to continue serving as the supervisor, or otherwise learning of the need to secure a supervisor, advise the State Committee for Social Workers in writing that Respondent is needing to secure a supervisor and the reasons for such change; and
- (2) within 20 business days of being notified of the supervisor's inability or decision not to continue serving as the supervisor, or otherwise learning of the need to secure a supervisor, secure a supervisor pursuant to and in accordance with the terms and conditions set forth in this Joint Stipulation. After 20 business days, the Respondent shall not practice if he or she has not secured a supervisor.

C. The supervisor shall be vested with administrative authority over all matters affecting the provision of clinical social work services provided by Respondent so that the ultimate responsibility for the welfare of every client is maintained by the supervisor.

- D. Respondent's supervisor shall report to the Committee in writing at least once every three months on Respondent's compliance with this Joint Stipulation. The reports are due by December 1, March 1, June 1, and September 1 each year during the disciplinary period. It is Respondent's responsibility to ensure that these reports are provided in a timely manner.

### III. GENERAL REQUIREMENTS

- A. During the disciplinary period, Respondent shall comply with all provisions of Chapters 337 RSMo; all the regulations of the Committee; and all state and federal criminal laws. "State" here includes all states and territories of the United States.
- B. During the disciplinary period, Respondent shall keep the Committee informed of Respondent's current work and home telephone numbers and addresses. Respondent shall notify the Committee in writing within ten days of any change in this information.
- C. During the disciplinary period, Respondent shall timely renew her license and timely pay all fees required for licensing and comply with all other Committee requirements necessary to maintain Respondent's license in a current and active state.

- D. During the disciplinary period, Respondent shall accept and comply with unannounced visits from the Committee's representatives to monitor her compliance with the terms and conditions of this Joint Stipulation.
- E. During the disciplinary period, Respondent shall appear in person for interviews with the Committee or its designee upon request.
- F. Periods of residency or the practice of social work outside Missouri will not apply to the reduction of the disciplinary period. Respondent shall notify, in writing, the social work licensing authorities of the jurisdiction in which she is residing or practicing, by no later than the day before the beginning of the disciplinary period, of Respondent's disciplinary status in Missouri. Respondent shall forward a copy of this written notice to the Committee contemporaneously with sending it to the relevant licensing authority. In the event Respondent should leave Missouri to reside or practice social work outside the state during the disciplinary period, Respondent shall notify the Committee in writing of the dates of departure and return no later than ten days before Respondent's departure. Furthermore, Respondent shall, no later than ten days after the commencement of any residence or practice outside this state, notify in writing the social work licensing authorities in the jurisdiction in which Respondent is residing or practicing of Respondent's disciplinary status in Missouri.

G. Respondent shall notify, within 15 days of the effective date of this Joint Stipulation, all facilities where Respondent practices of Respondent's disciplinary status. Notification shall be in writing and Respondent shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Committee for verification by the Committee or its designated representative.

H. For purposes of this Joint Stipulation, unless otherwise specified in this Joint Stipulation, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Committee in this Joint Stipulation shall be forwarded to the State Committee for Social Workers, 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, Missouri 65102.

2. The parties to this Joint Stipulation understand that the State Committee for Social Workers will maintain this Joint Stipulation as an open and public record of the Committee as provided in Chapters 337, 610, and 620, RSMo.

3. Failure to comply with any of the terms of this Joint Stipulation shall be deemed a violation of the Joint Stipulation and shall be cause for further discipline.

4. Upon the determination of the State Committee for Social Workers that the Respondent has failed to comply with the terms of this Joint Stipulation, the Committee may revoke Respondent's license or may take such other or additional disciplinary action against Respondent or Respondent's license as the Committee deems appropriate. No order shall be

entered by the State Committee for Social Workers pursuant to this paragraph of this consent order without notice and an opportunity for hearing before the Committee in accordance with the provisions of Chapter 536, RSMo.

5. Upon the successful completion of the period of discipline, Respondent's license as a social worker in Missouri shall be fully restored if all other requirements of law have been satisfied.

6. If the State Committee for Social Workers determines that the Respondent has violated a term or condition of this Joint Stipulation, which violation would also be actionable in a proceeding before the Administrative Hearing Commission or the circuit court, the State Committee for Social Workers may elect to pursue any lawful remedies or procedures afforded it and is not bound by this Joint Stipulation in its determination of appropriate legal actions concerning that violation. If any alleged violation of this Joint Stipulation occurred during the disciplinary period, the State Committee for Social Workers may choose to conduct a hearing before it either during the disciplinary period, or as soon thereafter as a hearing can be held, to determine whether a violation occurred and, if so, it may impose further discipline. The State Committee for Social Workers retains jurisdiction to hold a hearing to determine if a violation of this Joint Stipulation has occurred.

7. The terms of this Joint Stipulation are contractual, legally enforceable, and binding, not merely recital. Except as otherwise contained herein, neither this Joint Stipulation nor any of its provisions may be changed, waived, discharged, or terminated,


except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

8. Respondent hereby waives and releases the State Committee for Social Workers, its members and any of its employees, agents, or attorneys, including any former committee members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but not limited to, any claims for attorney's fees and expenses, including any claims pursuant to § 536.087, RSMo, or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this litigation, or from the negotiation or execution of this Joint Stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this Joint Stipulation in that it survives in perpetuity even in the event that any court of law deems this Joint Stipulation or any portion thereof void or unenforceable.

In consideration of the foregoing, the parties consent to the entry of record and approval of this Joint Motion for Consent Order, Joint Stipulation of Facts, Waiver of Hearings Before the Administrative Hearing Commission and State Committee for Social Workers, and Disciplinary Order and to the termination of any further proceedings before the Administrative Hearing Commission based upon the Complaint filed by Petitioner in the above-styled action.




RESPONDENT

  
Susan Langstraat

Date 9/11/04

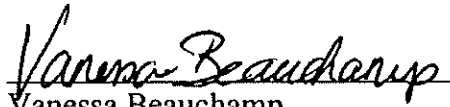
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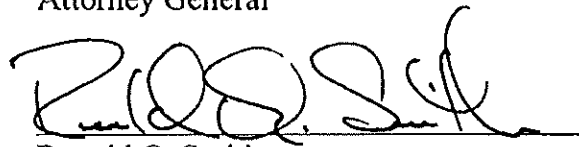
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PETITIONER

  
Vanessa Beauchamp  
Executive Director  
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